

## IN THE CLAIMS

1. (Currently Amended) An internet telephony system supporting simultaneous voice and data communications with a user, comprising a server for receiving a request to establish a voice communication with the user over a digital data communications channel having a state, independent of a communication channel over which the request is communicated, and being determined by automated analysis of prior activity of a the user over the digital data communications channel with respect to a shopping cart, and in response to the received request, establishing the ~~user~~ voice communication in dependence on the state and a set of user preferences, wherein the server has a first available option to conduct the voice communication using a voice over Internet Protocol communication mode through the data communications channel and a second available option to conduct the voice communication over a communications channel distinct from the data communications channel and involving a public switched telephone network, the server selecting at least one of the first available option and the second available option in dependence on the set of user preferences, the server executing an application program communicating with telephony hardware to implement telephony system control, said application program having an application programming interface, wherein said application program includes as one of its is application programming interface functions a call to an external program.

2. (Currently Amended) The telephony system according to claim 1, wherein said digital data communications channel carries data between a user terminal and a web server, the web server communicating with a distinct server for establishing the user voice communication channel involving a the public switched telephone network.

3. (Cancelled) The telephony system according to claim 1, wherein the user communicates with the server using a browser, and the set of user preferences are retrieved based on a cookie.

4. (Previously Presented) The telephony system according to claim 1, wherein the user interactively communicates through the digital data communications channel to establish the state, and the server establishing the voice communication being further responsive to an economic interest of a party distinct from the user.

5. (Cancelled) The telephony system according to claim 1, wherein the user, in order to communicate with the server to request a voice communication, need only initiate a generic action which is interpreted by the server in accordance with the state and the user preferences to initiate an appropriate response.

6. (Currently Amended) An Internet telephony system for providing communications involving a user communicating through an Internet browser, comprising a server hosting a Web site, said server executing an application program communicating directly with telephony hardware to implement telephony system control, said application program having an application programming interface, wherein said application program includes as one of its application programming interface functions a call to an external program, wherein a message is proactively transmitted from the server to the Internet browser based on an automated analysis of a status of the user with respect to Web site, requesting establishment of an

interactive voice communication session, and wherein the user can allow initiation of the interactive voice communication session through the Internet browser, wherein a set of user preferences are retrieved by the server, defining a preferred communications mode selected from the group consisting of voice over a data packet switched network and a public switched telephone network, and wherein the user status with respect to the web site is derived from an automated analysis of a shopping cart.

7. (Cancelled) The telephony system according to claim 6, wherein a set of user preferences are retrieved by the server, defining a preferred communications mode selected from the group consisting of voice over a data packet switched network and a public switched telephone network.

8. (Previously Presented) The telephony system according to claim 7, wherein the user preferences are retrieved in a cookie.

9. (Previously Presented) The telephony system according to claim 7, wherein the user interactively communicates with the Web site to establish the status, the request for establishment of an interactive voice communication session being responsive to an economic interest of a party distinct from the user.

10. (Cancelled) The telephony system according to claim 7, wherein the user status with respect to the web site is derived from an automated analysis of a shopping cart.

11. (Currently Amended) An Internet telephone system, comprising a browser having ~~a displayed~~ proactively displaying a hyperlink for presentation to a user based on an automated analysis of a shopping cart, requesting establishment of an interactive voice communication, a selection of said hyperlink causing the browser to communicate with a server, retrieve user-related data defining a preferred communications mode selected from the group consisting of voice over a data packet switched network and a public switched telephone network, and offer to initiate ~~open~~ a voice ~~over Internet protocol~~ communication session between the user and a second party according to said preferred communications mode, the system comprising a processor executing an application program communicating with telephony hardware to implement telephony system control, said application program having an application programming interface, wherein said application program includes as one of its application programming interface functions a call to an external program.

12. (Previously Presented) The telephony system according to claim 11, wherein the user is charged for the communication.

13. (Previously Presented) The telephony system according to claim 12, wherein the user charge is a micropayment.

14. (Original) The telephony system according to claim 11, wherein a set of user preferences is retrieved in a cookie from the browser.

15. (Cancelled) The telephony system according to claim 11, wherein the status of the communication session between the browser and the server comprises a status of a shopping cart.

16. (Currently Amended) The telephony system according to claim 11, wherein the opening of a the voice over Internet protocol communication session is dependent on an economic interest of a party distinct from the user.

17. (Currently Amended) A telephony server, comprising an application program communicating directly with telephony hardware to implement telephony system control, said application program having an application programming interface, wherein said application program includes as one of its application programming interface functions a call to an external program,

said telephony server communicating a hyperlink through a browser, a selection of which causing said telephony server to, in dependence on an automated analysis of a shopping cart, proactively send a message to the user through the browser offering to establish an interactive voice communication session between the user and a second party, wherein a set of user preferences are retrieved by the server, defining a preferred communications mode selected from the group consisting of voice over a data packet switched network and a public switched telephone network.

18. (Previously Presented) The telephony server according to claim 17, wherein the application program is a dynamic link library adapted to run under Microsoft Windows operating system.

19. (Original) The telephony server according to claim 17, wherein the application program may spawn a plurality of instances of the external program simultaneously.

20. (Previously Presented) The telephony server according to claim 17, wherein the application program has a first component running on a telephony server and a second component running on each telephony client.

21. (Original) The telephony server according to claim 17, further comprising a communications link to a Web server, for coordinating telephony functions and Web server functions.

22. (Previously Presented) The telephony server according to claim 17, wherein the application program interfaces with a monetary accounting system.

23. (Previously Presented) The telephony server according to claim 17, wherein the application program interfaces with a micropayment accounting system.

24. (Previously Presented) The telephony server according to claim 17, wherein the application program supports an application service provider payment model.

25. (New) The telephony system according to claim 1, wherein the user communicates with the server using a browser, and the set of user preferences are retrieved based on a cookie.